

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN

Shawn Robert Bierd (a living man))
 Representing COUNTERCLAIMANTS)
 ADVANCE AUTO BODY LLC,)
 SHAWN BIERD, KATRINA BIERD)

v.

Civil Action No. 11cv341

IRS, UNITED STATES OF AMERICA,)
 ET AL Defendant)

**COUNTERCLAIM TO UNITED STATES COMPLAINT AND INJUNCTION
 REQUEST AND MEMORANDUM IN SUPPORT OF ORDER TO DISMISS**

The United States of America, by its agencies, United States Department of Justice and Internal Revenue Service has been, through the above civil action and by many other means harassing, the man, Shawn Robert Bierd, herein after Declarant, through coercion and fraud for at least the last 10 years by means of, but not limited to paper terrorism, threats of jail and imprisonment, fines, fees, levies, etc... These entities are of the mistaken belief that I am many things. Specifically, a "taxpayer", an "employer", a "withholding agent", and a "U.S citizen" as defined at 26 USC 7701.

Declarant has not conducted his life as a "U.S. citizen" for many years, having discovered and learned the differences between a natural born American Citizen of one of the many states and that of a 14th amendment citizen/subject. The latter being that of a slave. I was born free and will remain free until the day I die. Declarant has long rejected the status of "U.S. citizen", and any writings or forms to the contrary by Declarant are based upon government deceit, which has become almost universal deceit and popular knowledge. The U.S. government uses deceit, deception and violence. They have failed to advise me of the consequences of said "status".

Declarant stands upon his affidavit and previous agreements with said entities denying being a resident and/or citizen of the United States and is in fact domiciled with his abode in the Republic of Wisconsin and claiming state Citizenship. "The term resident and citizen of the United States is distinguished from a Citizen of one of the several states, in that the former is a special class of citizen created by Congress." U.S. v. Anthony, 24 Fed. 829.

The IRS and all other federal government entities may have jurisdiction to assess and harass "U.S. citizens" or residents, but again Declarant rejects such status. The taxes the IRS describes seeks to impose upon me and my activities goes far beyond constitutionally delegated power of Congress.

The IRS must follow the Unites States Supreme Court decisions. The IRS has always promoted their game by citing court cases of lower "inferior" courts and ignoring the decisions that place them in an unfavorable position. Not even the federal district courts have jurisdiction to decide ones' citizenship if the controversy involves federal taxes. 28 USC 2201

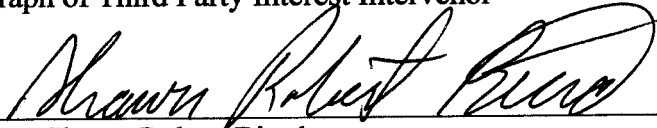
The state legislators are even finally waking up to the over reaching Federal usurpation and most of the states have sent 10th amendment resolutions to U.S. Congress recently. Specifically, Wisconsin senators introduced as SR6. Declarant is in harmony with the intent as well.

Ronald Reagan backs up my claim with his executive order #12612-Federalism; Sec 2 line (d) "The people of the States are free, subject only to restrictions in the Constitution itself or in constitutionally authorized Acts of Congress, to define the moral, political, and legal character of their lives."

Before this court can proceed to adjudicate on any matter regarding the above captioned case the United States and the IRS must first establish that Declarant is or was at any time a "U.S. citizen". Absent the required personam jurisdiction, this case must be dismissed.

WITHOUT PREJUDICE, ALL RIGHTS RESERVED

Autograph of Third Party Interest Intervenor

By:  Date 6-15-11
AGENT, Shawn Robert Bierd

CERTIFICATE OF SERVICE

I, Shawn Robert Bierd, attest to this document and others delivered as follows;

Original: to the court At: 120 North Henry Street
Madison, Wisconsin 53703

Copies: Via US mail: MIRANDA BUREAU
TAX DIVISION, CENTRAL REGION
UNITED STATES DEPARTMENT OF JUSTICE
PO BOX 7238
WASHINGTON, DC 20044

File.